14, 16 and 17 "setting up a new call in an existing multicall over the transmission path between the telecommunications network and subscriber equipment," as recited in claim 15, "an arrangement for controlling a multicall over the transmission path between the telecommunications network and the subscriber terminal," as recited in claims 18-26, or a "terminal being capable of having a multicall over the transmission path between the telecommunications network and the subscriber terminal," as recited in claims 27 and 28.

As explained previously, Grube merely discloses a dual mode communication unit that can operate in either a trunking communication system or a cellular communication system when the coverage area of each system overlaps. Normally, the communication unit is operating in the trunking communication system. However, when an individual call is received or being placed via a cellular communication system, the communication unit switches to operate in the cellular communication system. Once the cellular call ends, the communication unit returns to operate in the trunking communication system.

However, Grube fails to teach or suggest a multicall between a telecommunication network and a individual subscriber terminal in a telecommunication system. To the contrary, Grube merely discloses a group dispatch communication system and individual calls in the cellular system. There is no indication of a multicall, i.e., two or more simultaneous separate calls to a subscriber unit.

The Office Action asserted that column 1, lines 62-64 of Grube teaches the feature of setting up a new call in an existing multicall. However, that passage of Grube (and Grube generally) merely discloses that trunking communication systems efficiently support group dispatch, which allows multiple communication units to simultaneously access one communication channel. Grube's group call has no relation to a multicall as recited in the rejected claims. As explained repeatedly during prosecution and in the specification, the claimed multicall is one in which there are two or more calls simultaneously over the transmission path between the telecommunications network and the subscriber terminal. Thus, Grube actually teaches a group call in which one member of the group transmits and other members of the group receive on the same channel. In other words, a Grube's group call is a single call having more than two participants.

Moreover, the cited passage of Grube (and Grube generally) also fails to teach setting up a new call in an existing multicall by setting up the new call on an existing bearer. To the contrary, Grube teaches that there is only one group call on one communication channel at time. Thus, Grube fails to teach or suggest setting up a new call on a channel already

reserved for a group call. Accordingly, Grube fails to teach or suggest both the claimed multicall and the setting up if a new call in such a multicall.

Moreover, Grube also fails to teach or suggest any criterion for deciding whether a new call is set up on an existing bearer or on a new bearer. The Office Action asserted that dialling, registering, authorizing, identifying, etc. constitute such criteria; however, those actions do not in any way relate to deciding whether a new call in a multicall is established on an existing bearer or on a new bearer. Moreover, the Office Action has failed to indicate there the specified actions are disclosed in Grube.

Further, Grube fails to teach that, when a new call is set up on an existing bearer, the existing bearer is shared by at least two calls of the multicall of the subscriber terminal. The Office Action asserted that column 2, lines 4-5 of Grube teach that claimed features. However, that passage of Grube (and Grube generally) refers to frequency re-use in a cellular system. In such re-use, the same frequency channels can be re-used in cells of a cellular network, if there is sufficient distance between the cells having the same frequencies. That conventional feature is fundamental to a cellular network; however, frequency re-use has nothing to do with multicalls.

Fapojuwo fails to remedy these deficiencies because Fapojuwo merely teaches a method for controlling allocation of traffic channels in a telecommunications network having macrocells and microcells within the macrocells.

The Office Action correctly recognized that Grube fails to teach or suggest that the network makes the decision whether the new bearer is required or whether the existing bearer is to be used. However, the Office Action incorrectly asserted that Fapojuwo teaches this feature at column 7, lines 59-64. Nevertheless, that passage merely discloses that a channel is always allocated from the microcell base station, if a free channel is available. Thus, that passage, and Fapojuwo generally, has nothing to do with the decision whether a new bearer is required or whether the existing bearer is used, as recited in the rejected claims.

Moreover, the Office Action incorrectly asserted that Fapojuwo teaches that the claimed criterion is a preference of a user of the subscriber terminal at column 8, lines 16-19. However, that passage merely discloses that a Local Channel Manager (LCM) processes channel requests from a data call originated in a microcell. There is no mention of any preference of a user of the subscriber terminal; in particular there is no teaching that a preference of a user of a subscriber terminal is used as a criterion for deciding whether a new call in an existing multicall is set up on an existing bearer or on a new bearer.

Further, the Office Action incorrectly asserted that Fapojuwo teaches the claimed step of indicating in a call setup signalling which existing bearer is to be used at column 7, lines 59-64. However, as noted above, there is no teaching of any indication given by a user of a subscriber terminal about the bearer to be used. In particularly, there are no teachings that the user would indicate a specific bearer.

The Office Action further asserted that Fapojuwo teaches the step of changing a call currently being on a shared bearer to use a new dedicated bearer at column 8, lines 6-10. However, that passage of Fapojuwo merely teaches that if there is no free channel at the microcell for an incoming call and the call service type is determined to be an existing call which is requesting a microcell-to-microcell handoff, the local channel manager sends a channel assignment request to a global channel manager GCM, which means that the handoff is made from a microcell to a macrocell. That handoff between cells has nothing to do with changing a call of a multicall from a shared bearer to a new dedicated bearer.

Ho similarly fails to remedy the deficiencies of Grube and Fapojuwo. Ho merely discloses a method for reducing the call setup time of high priority calls. Moreover, contrary to the assertions of the Office Action, Ho fails to teach or suggest the claimed step of allocating a dedicated bearer to the new call by default by the network if a user does not indicate in the call setup any existing bearer to be used. The Office Action asserted that column 6, lines 48-58 of Ho teaches that feature. However, that passage merely discloses that a cellular system communication apparatus has two different speed signalling channel types f1 and f2. The apparatus comprises a plurality of base transceiver stations operably interconnected to at least one mobile switching center. The apparatus further comprises first means for receiving channel request from mobile stations wishing to communicate with another communication unit. In response to the channel request from the mobile station the apparatus supplies a default signalling channel assignment of a type f1.

In other words, Ho always assigns a same type of signalling channel to a mobile station as a first step of a call setup. Thus, Ho has nothing to do with a multicall of an individual mobile station, and a decision that a dedicated bearer is allocated to the new call by a default by the network if the user does not indicate in the call setup any existing bearer to be used.

Similarly, Hoogerwerf, Tuulos and Ahvenainen all fail to remedy the above-identified deficiencies of Grube, Fupojuwo and Ho.

Based on the above arguments, claims 1-28 are patentable over the applied prior art and are allowable. All rejections having been addressed, the Applicants request issuance of a Notice of Allowance indicating the allowability of the pending claims. If anything further is necessary to place the application in condition for allowance, the Applicants request that the Examiner contact the Applicants' undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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